

# PUBLIC SUBMISSION

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Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Port Everglades, Florida

**Comment On:** EPA-R04-OW-2020-0056-0001

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Comment on EPA-R04-OW-2020-0056-0001

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## Submitter Information

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### General Comment

My name is (b)(6), and I am here to comment on a plan to expand the ocean dumping site off the shore of Port Everglades, Florida. I am within my right to comment on this because of the citizen suit provision in the statute that this lies under, the Maring Protection, Research, and Sanctuaries Act (MPRSA) also known as the ocean dumping act. The Environmental Protection Agency (EPA) has issued this proposed rule document for the purpose of sustaining the area's long term need of disposing of sediment and ocean dredging from the local harbors and other industrial sites. While there are many qualities of this plan in line with the MPRSA as well as other statutes, I believe that there should be other alternatives looked into due to the damage which this project could cause to the local coral reef population. In the 1980's, the first Ocean dredged material disposal site (ODMDS), was not approved due to the possible side effects that could be disastrous on the local coral, but eventually the economic impact outweighed this cost. Today, while there is an existing dumping site, approving it in this location and making a bigger dredging plot over twice the size of the one first approved and putting too much of a man made burden on the environment.

In accordance with the National Environmental Policy Act, (NEPA), there are three alternatives listed in the current plan. This includes two expansion plans, one at 3.21 nautical miles, and the other at 2.89 nautical miles, as well as a no action alternative as is customary. The proposed plan on regulations.gov does not specify the direction in which the bigger and "preferred" will be spread, but says that the smaller option has an east to west orientation and that going this direction would have more negative implications in the hard bottom habitat . However, when looking at the map in the EIS, it appears that alternative 1 has the same border on the west as alternative 2, and extends just barely less east, while expanding more north. I can not imagine that this slight difference would have much of a less negative outcome on the harder bottom habitat. Therefore, I propose that no action or lesser alternatives be explored. The smaller the area, the less of an impact it would have on the surrounding area. In the original EIS for the current plot in 2005, it is explicitly said that no site is to come within 3 nautical miles of shore due to having direct impacts on coral reef populations. The current proposed action would now be only 3.3 nautical miles from shore, which is edging dangerously close to the coral reef population. The coral reef population should have freedom to expand and not be met with harsh unsurvivable conditions right at its borders due to dumping.

In the statutory language of MPRS, the main purpose is listed to outlaw any dumping which would unreasonably degrade or endanger human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities. I believe that this purpose will be taken down if the expansion of this dumping site is to

happen. While all the material dumped into the ocean is permitted and tested by the US Army Corps of Engineers, the sheer amount of dumping in the same high risk area is the issue. As shown in *Alaska Oil and Gas vs Penny Pritzker*, the law is to be followed in accordance with the best available science. Since the 2005 construction of this dump site, there has been a study on the ocean dumping site in Miami just under 30 miles directly south of Port Everglades. In a 2019 study published in the *Marine Pollution Bulletin*, it is shown that due to this dumping site, there has been widespread devastation of the nearby local coral reef population. Even though the dump site was not touching the coral habitat, studies show that the dredging impacts may have spread across more than 15 miles of Florida's reef tract. With the proposed plan, the expansion is supposed to be within .3 miles of the coral habitat as well as the heavy traffic to transport the materials being dumped, there is a high chance the sediment could spread and bury the already struggling coral. If this project were approved, the precedent would be set which would be undoing the purpose of the statute.

Additionally, hurting the coral reefs would also damage the residents and tourists of the area. The Florida reef tract is the only living, near-shore barrier coral reef system in the continental United States. They serve as a storm barrier to protect the coast, as well as a large source of income for many residents. A 2001 study found that coral reef-related expenditures generated more than \$2 billion in sales in Broward County alone, resulting in \$1 billion in income and 36,000 jobs to Broward County. This interference with the enjoyment of the coral reefs, both recreationally and economically, is grounds for a public nuisance claim against the EPA for expanding this dredging site.